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HONORABLE JOHN C. COUGHENOUR

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

| | | |
|------------------------------------|---|-----------------------------|
| WASHINGTON TOXICS COALITION, |) | |
| NORTHWEST COALITION FOR |) | Civ. No. C01-0132C |
| ALTERNATIVES TO PESTICIDES, |) | |
| PACIFIC COAST FEDERATION OF |) | |
| FISHERMEN'S ASSOCIATIONS, and |) | DECLARATION OF TODD STEINER |
| INSTITUTE FOR FISHERIES RESOURCES, |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| v. |) | |
| |) | |
| ENVIRONMENTAL PROTECTION |) | |
| AGENCY, and MICHAEL O. LEAVITT, |) | |
| ADMINISTRATOR, |) | |
| |) | |
| Defendants, |) | |
| |) | |
| AMERICAN CROP PROTECTION |) | |
| ASSOCIATION, et al., |) | |
| |) | |
| Intervenor-Defendants. |) | |

1 I, Todd Steiner, state and declare as follows:

2 1. I am a resident of Forest Knolls, California and director of the Salmon Protection
3 and Watershed Network ("SPAWN").

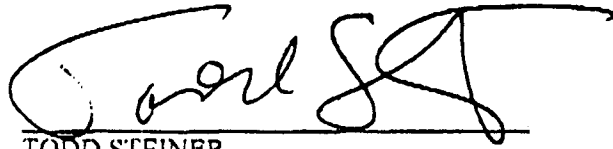
4 2. SPAWN, established in 1997, is a project of and operates under the fiscal
5 sponsorship of the Turtle Island Restoration Network ("TIRN"), a non-profit corporation
6 organized under the laws of the State of California with its principal place of business in Marin
7 County, California. TIRN has approximately 4,000 members, each of whom shares a
8 commitment to the study, protection, enhancement, conservation, and preservation of the world's
9 marine and terrestrial ecosystems and the wildlife that inhabit those ecosystems.

10 3. SPAWN is dedicated to the protection and restoration of endangered and
11 threatened species, and their habitats. SPAWN's activities include water quality monitoring
12 under contract to the California State Water Resources Control Board, conservation studies
13 conducting salmonid spawning surveys, juvenile emergent studies, improving riparian and creek
14 habitat through revegetation projects, adding woody debris to creeks to enhance salmonid
15 habitat, bank stabilization, research to identify sediment sources from unpaved roads and
16 prioritize for repair, repairing unpaved roads based on prioritization, inventorying and removing
17 barriers and migration impediments through removal of check dams and replacement or repair of
18 culvert barriers. SPAWN also runs programs (under federal and state permits) to relocate
19 stranded endangered juvenile salmon from drying creek stretches and relocate fish downstream,
20 improve water quality and quantity through research and implementation of erosion
21 control/sediment reduction methods and restoration of damaged riparian habitats.

22 4. Staff and members of SPAWN have surveyed 22 home and garden stores in the
23 San Francisco Bay area that sell pesticide products containing one or more of the seven pesticide
24

1 active ingredients subject to the urban point of sale notification requirements in this Court's
2 January 22, 2004 Order utilizing the attached survey form. Of the 22 stores that we surveyed,
3 only one had posted a point of sale notification, and that store had posted only one sign even
4 though it carried more products that required signage under this Court's Order. I personally
5 surveyed three stores that sell pesticides containing active ingredients subject to the January 22,
6 2004 Order, but I found no point of sale notifications in any of these stores.

7 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true
8 and correct. Executed this 30 day of June, 2004.

9
10 
11 TODD STEINER